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APPLICATION NUMBER: 60/618,900

FILING DATE: *October 12, 2004*

RELATED PCT APPLICATION NUMBER: *PCT/US04/36630*

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### PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

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INVENTOR(S)		
Given Name (first and middle [if any])	Family Name or Surname	Residence (City and either State or Foreign Country)
Dusan	Miljkovic	San Diego, CA
Additional inventors are being named on the _____ separately numbered sheets attached hereto		
TITLE OF THE INVENTION (500 characters max):		
Coffee Cherry Cosmetic Compositions and Methods		
Direct all correspondence to: CORRESPONDENCE ADDRESS		
<input checked="" type="checkbox"/> The address corresponding to Customer Number: 34284		
OR		
<input type="checkbox"/> Firm or Individual Name		
Address		
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ENCLOSED APPLICATION PARTS (check all that apply)		
<input checked="" type="checkbox"/> Specification Number of Pages 20		
<input type="checkbox"/> Drawing(s) Number of Sheets _____		
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		
<input type="checkbox"/> CD(s), Number of CDs _____		
<input type="checkbox"/> Other (specify) _____		
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		
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SIGNATURE Martin Fessenmaier  
TYPED or PRINTED NAME Martin Fessenmaier  
TELEPHONE 714 641-5100

Date 10/12/04  
REGISTRATION NO. 46697  
(if appropriate)  
Docket Number: 100700.0033PRO2

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

## Complete if Known

Application Number	
Filing Date	October 12, 2004
First Named Inventor	Dusan Miljkovic
Examiner Name	
Art Unit	
Attorney Docket No.	100700.0033PRO2

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 80.00)

## METHOD OF PAYMENT (check all that apply)

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Deposit Account Number: 502191  
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## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	80.00

SUBTOTAL (1) (\$ 80.00)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

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## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Martin Pessenmaier	Registration No. (Attorney/Agent)	46697	Telephone	714-641-5100
Signature		Date	October 12, 2004		

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## COFFEE CHERRY COSMETIC COMPOSITION AND METHODS

This application relates to our U.S. Provisional Patent Application with the serial number 60/560,865 (filed April 8, 2004), and further relates to our International Patent Applications with the serial numbers PCT/US03/11950 and PCT/US03/11951, all of which are incorporated by  
5 reference herein.

### **Field of The Invention**

Cosmetic compositions and methods, especially as they relate to those comprising coffee cherries, coffee cherry preparations, and extracts thereof.

### **Background of The Invention**

10 Many cosmetic formulations include plant extracts or preparations from one or more plants to achieve a particularly desirable result. Typically, plants used in such formulations are those with known medicinal value. For example, chamomile extracts are frequently used to reduce inflammation, aloe vera extracts are used to relieve skin irritations, and calendula extracts are often used as antiseptic.

15 Remarkably, most non-medicinal plants, and especially plants that are normally used for food or beverage preparation are commonly absent in cosmetic formulations, and the most notable uses of non-medicinal edible plants in cosmetics includes cucumber for masks, and almonds and apricots for skin peels. In another example, as described in U.S. Pat. App. No. 2004054534, extracts of roasted and unroasted decaffeinated coffee beans are topically used to  
20 treat greasy skin. While such extracts are reported to normalize sebaceous gland activity to at least some degree, various disadvantages nevertheless remain. Among other things, and depending on the particular formulation, chemical stability of such extracts may be less than desirable. Alternatively, as taught in U.S. Pat. App. No. 20020187239 and WO 2002062159, the inventors describe use of a plant waste product (*e.g.*, use of coffee cherry pulp from coffee  
25 production) as a base material for preparation of a plant extract. However, coffee production typically demands harvest of ripe coffee cherries, which are known to have a substantial level of microbial growth. Consequently, the waste material (*i.e.* the pulp) is almost invariably and highly contaminated with various mycotoxins and must therefore be detoxified prior to use.

Therefore, while there are numerous cosmetic formulations are known in the art, all or almost all of them suffer from one or more disadvantages, especially where such formulations include a portion of a coffee plant. Consequently, there is still a need to provide improved cosmetic compositions and methods.

## 5 **Summary of The Invention**

The present invention is directed towards various cosmetic compositions and methods in which the cosmetic composition includes a coffee cherry, or a portion and/or extract thereof.

In one particularly contemplated aspect of the inventive subject matter, the cosmetic composition includes a coffee cherry preparation, and even more preferably a coffee cherry  
10 preparation that is prepared from a sub-ripe coffee cherry and/or quick-dried coffee cherry, wherein the sub-ripe coffee cherry is quick-dried such that a mycotoxin level of the coffee cherry is less than 20 ppb for total aflatoxins, less than 10 ppb for total ochratoxins, and less than 5 ppm for total fumonisins. Still further especially preferred coffee cherry preparations are alcoholic and/or aqueous extracts that are prepared from at least two of a bean of the coffee cherry, the  
15 pulp, the mucilage, and the hull of the coffee cherry.

Contemplated cosmetic compositions may be formulated in a variety of formulations, and especially preferred formulations include shampoos, lotions, creams, balms, and ointments. Additionally, it is preferred that the cosmetic composition is associated with an information that the composition comprises the coffee cherry preparation, and it is further contemplated that an  
20 information may be associated with the composition that the composition has at least one of an antioxidant effect, an anti-inflammatory effect, a UV-protective effect, an antimutagenic effect, a chemoprotective effect, a scar reducing effect, a skin-lightening effect, a moisturizing effect, a wrinkle reduction effect, and an antibacterial effect.

Depending on the particular nature of the coffee cherry preparation, it should be  
25 recognized that such preparations include at least two classes of compounds selected from the group consisting of coffee acids, essential monosaccharides, coffee mucilage polysaccharides, and trigonelline, wherein these classes are present in the extract in an amount of at least 1 wt% total, and more typically at least 5 wt% total. Exemplary contemplated coffee acids include

chlorogenic acid, ferulic acid, and caffeic acid, and essential monosaccharides include arabinose, fucose, mannose, xylose, and galactose.

Consequently, a method of marketing a cosmetic composition may comprise a step of providing the cosmetic composition and a further step of providing an information that the composition comprises a coffee cherry preparation. In preferred methods, the coffee cherry preparation comprises an extract of the coffee cherry (most preferably a sub-ripe coffee cherry and/or a quick-dried coffee cherry), and the information is associated with the cosmetic composition (*e.g.*, printed on the container containing the formulation and/or the package containing the container).

Various objects, features, aspects and advantages of the present invention will become more apparent from the following detailed description of preferred embodiments of the invention.

#### **Detailed Description**

The inventors discovered that coffee cherries, portions, and/or extracts thereof can be used in cosmetics, and especially in cosmetic products that are topically applied (*e.g.*, to the skin or hair). It is generally contemplated that any coffee cherry, portion and/or extract thereof is deemed suitable for use herein. However, particularly preferred coffee cherries, portions and/or extracts include those from sub-ripe, ad/or quick-dried coffee cherries, which are particularly low in mycotoxins.

As used herein, the term "coffee cherry" refers to the entire fruit of the coffee tree (*Coffea spec.*) in which the exocarp and the outer mesocarp (*i.e.*, the pulp) surround the inner mesocarp (*i.e.* the mucilage) and endocarp (*i.e.*, the hull), which in turn surround the seeds (*i.e.*, the beans). Thus, the term coffee cherry specifically refers to a whole coffee cherry, which may or may not include the stem of the cherry.

The term "sub-ripe coffee cherry" refers to a coffee cherry that has not yet reached the ripe stage, which is generally characterized by susceptibility to or presence of a fungal infection and/or presence of mycotoxins. Thus, a sub-ripe coffee cherry is at a ripeness stage in which the coffee cherry - when quick-dried - will exhibit mycotoxin levels that are below 20 ppb for total



aflatoxins, below 5 ppm for total fumonisins, below 5 ppm for total vomitoxins, and below 5 ppb for ochratoxins. Quick-dried coffee cherries are typically dried within 0-48 hours (and more preferably between 6-24 hours) of the harvest such that the residual water content is no higher than 20% (wt/wt), and more typically no higher than 6-12% (wt/wt).

5 Viewed from an other perspective, sub-ripe coffee cherries will typically exhibit at least some green color (at least 5%, more typically at least 10%) and will typically be free of any surface defects (*e.g.*, blemishes, cuts, and/or holes covering an area of less than 5% of the cherry). Sub-ripe coffee cherries may also be characterized in that they will remain on the coffee tree for a subsequent round of picking where the coffee cherries are hand picked and used for the  
10 production of coffee beans. Alternatively, a color sorting machine (*e.g.*, CCD equipment) may be employed to identify and select sub-ripe coffee cherries on a quantitative color basis where the coffee cherries are mass-harvested and automatically sorted.

It should further be appreciated that while many of the following contemplated aspects and examples employ coffee cherries in a sub-ripe state, completely ripe coffee cherries are also  
15 deemed suitable herein, and especially where such ripe coffee cherries are substantially devoid of surface damage (*i.e.*, no more than 5% of surface area) and/or microbial infection (*i.e.*, infestation that results in mycotoxin levels of less than 20 ppb for total aflatoxins, less than 5 ppm for total fumonisins, less than 5 ppm for total vomitoxins, and less than 5 ppb for ochratoxins on a dry weight basis). Thus, all contemplated cosmetic products and/or coffee cherries may comprise  
20 completely ripe as well as sub-ripe coffee cherries in varying proportions. For example, suitable proportions include 100% ripe to 0% sub-ripe, preferably 90% ripe to 10% sub-ripe, more preferably 75% ripe to 25% sub-ripe, even more preferably 50% ripe to 50% sub-ripe, and most preferably less than 25% ripe to more than 75% sub-ripe.

As further used herein, the term "quick-dried" coffee cherry means that the whole coffee  
25 cherry is dried under a protocol that limits growth of molds, fungi, and/or yeast to an extent such that the dried coffee cherry will exhibit mycotoxin levels that are below 20 ppb for total aflatoxins, below 5 ppm for total fumonisins, below 5 ppm for total vomitoxins, and below 5 ppb for ochratoxins. Quick-dried coffee cherries are typically dried within 0-48 hours (and more preferably between 6-24 hours) of the harvest such that the residual water content is no higher



than 20% (wt/wt), and more typically no higher than 6-12% (wt/wt). Suitable drying processes (which may or may not result in a quick-dried coffee cherry of portion thereof) include air-drying, sun-drying, spray-drying, freeze-drying, etc.

As still further used herein, the term "mycotoxin" refers to any toxic product formed in a mold, fungus, and/or yeast that exhibits significant toxicity to a human or animal when ingested. Specifically contemplated mycotoxins include aflatoxins (and particularly B1, B2, G1, and G2), fumonisins (and particularly B1, B2, and B3), ochratoxin, deoxynivalenol (DON, vomitoxin), T-2 toxin, and zearalenone. The term "total aflatoxins" therefore refers to the sum of all aflatoxin variants, the term "total fumonisins" refers to the sum of all fumonisin variants, and the term "total ochratoxins" therefore refers to the sum of all ochratoxin variants.

Exemplary preparations of suitable coffee cherries, portions and/or extracts of are described in our commonly owned and copending International patent applications with the serial numbers PCT/US03/11950 (with the title "Low-Mycotoxin Coffee Cherry Products") and PCT/US03/11951 (with the title "Methods for Coffee Cherry Products"), which are specifically incorporated by reference herein. Further, while it is generally preferred that the coffee cherry products are low, or even devoid in mycotoxins, it should be recognized that for topical use, the allowed and/or tolerated quantity of mycotoxins may be higher than required for nutritional products. Thus, it is generally preferred that contemplated coffee cherry preparations are made from sub-ripe and/or quick-dried coffee cherries or from a batch of coffee cherries that includes at least a fraction (*e.g.*, at least 10%, more typically at least 20%, most typically at least 50%) of sub-ripe and/or quick-dried coffee cherries.

In generally preferred cosmetic formulations, the coffee cherry preparation may be in various forms suitable for compounding into a cosmetic product, or may even be formulated for direct application without further compounding. Therefore, contemplated coffee cherry preparations may be prepared as a mechanically processed material (*e.g.*, freeze-dried powder, or otherwise comminuted and dehydrated material, or liquid obtained from pressed coffee cherries). It should further be appreciated that the coffee cherries may be (*e.g.*, after a step of mechanical processing) chemically processed, and particularly suitable chemical processing steps include solvent extraction or fractionation. For example, coffee cherries may be comminuted and

extracted with an aqueous and/or alcoholic solvent to obtain a solution enriched in one or more desirable components (and/or to obtain a material depleted of one or more undesired components). So prepared extracts can further be refined and/or enriched in a specific component using chromatographic methods (*e.g.*, ion exchange, size exclusion, or filtration), or addition of a component or fragment of the coffee cherry. Depending on the desired component(s), it should further be recognized that the extracts may also be prepared from selected portions of a coffee cherry (*e.g.*, at least one or more of the bean of the coffee cherry, the pulp, the mucilage, and/or the hull of the coffee cherry).

It should be noted that more than 50 wt% of the dry matter of a sub-ripe coffee berry is represented by carbohydrates, and especially polysaccharides. The remainder is comprised of various proteins (about 10 wt% to 12 wt%), saponifiable lipids (about 10 wt% to 18 wt%), unsaponifiable lipids (about 10 wt%), and various other lipophilic components, including phytosterols, tocopherols, diterpenic alcohols (*e.g.* cafestol, kahweol, kauranic derivatives), etc. Coffee cherries further comprise various phenolic acids (typically about 5 wt%), with typical representatives being ferulic acid, quinic acid, caffeic acid, and chlorogenic acid. Caffeine may be present between about 0.5 wt% to about 2 wt% and even higher.

Depending on the particular nature of the preparation of the coffee cherry (extract), contemplated preparations and/or extracts will therefore include varying amounts of coffee acids (*e.g.*, chlorogenic acid, ferulic acid, and caffeic acid), essential monosaccharides (*e.g.*, glucose, galactose, arabinose, mannose, xylose, fucose, N-acetylgalactosamine, N-acetylglucosamine, and N-acetylneuraminic acid), coffee mucilage polysaccharides, and/or trigonelline. However, it is typically preferred that (at least two of) the coffee acids, essential monosaccharides, coffee mucilage polysaccharides, and/or trigonelline are present in the cosmetic composition, preparation, or extract in an amount of at least 1 wt% total, more preferably 2-5 wt% total, and most preferably between 5 and 20 wt% total.

With respect to contemplated cosmetic formulations, it is generally preferred that the cosmetic formulation is topically applied to the skin, nails, and/or hair. Consequently, the particular composition and manner of application may vary considerably, and all known cosmetic compositions and/or formulations are considered suitable for use herein. For example, suitable

cosmetic products include gels, creams, mousses, ointments, liquids (sprayable or otherwise applied) lipstick formulations, etc., all of which may be used as a cleaning agent, a skin care agent, and/or functional cosmetic. There are numerous formulations for cosmetic use known in the art (see *e.g.*, *Cosmetic and Toiletry Formulations Volume 8* by Ernest W. Flick; Noyes Publications; 2nd edition, January 15, 2000; ISBN: 0815514549), and all of them are deemed suitable for use herein.

In most instances, it is contemplated that the cosmetic composition will include the coffee cherry preparation in an amount of between about 0.1 wt% to about 80 wt%, more preferably in an amount of between about 1 wt% to about 40 wt%, and most preferably in an amount of between about 5 wt% to about 20 wt%. However, where the coffee cherry preparation is highly concentrated, lower quantities are also contemplated. It is still further contemplated that the cosmetic compositions according to the inventive subject matter may further include additional agents, including detergents, antioxidants, vitamins, minerals (*e.g.*, complexed boron), fragrance, plant hormones, alpha hydroxy acids, acetylated compounds (*e.g.*, N-acetyl cysteine), etc.

In still further contemplated aspects, it should be recognized that the coffee cherries (which may be sub-ripe and/or ripe) may be directly used in cosmetic formulations without a step of drying. For example, such coffee cherries may be comminuted, powderized, or macerated into a paste or purée, which is then included into a cosmetic formulation. Alternatively, the coffee cherries may also be pressed to obtain a coffee cherry juice or juice concentrate, which is then included into the cosmetic formulation. It should further be appreciated that while such materials from non-dried coffee cherries are preferably included into a cosmetic formulation, other uses, and especially uses in nutritional applications are also expressly contemplated herein. For example, such juices, purées, and other material may be included into a snack bar, beverage, or other edible material at various concentrations (*e.g.*, between about 0.01 wt% to about 99.9 wt%, more typically between 0.1 wt% to about 50 wt%, most typically between 1 wt% to about 20 wt%), and particularly suitable food products and uses are described in our International Patent Applications with the serial numbers PCT/US03/11950 and PCT/US03/11951, which are incorporated by reference herein. Additionally contemplated uses include use of contemplated coffee cherry preparations as anti-oxidant in a composition of matter, wherein the concentration

of the coffee cherry preparation is typically between about 0.01 wt% to about 99.9 wt%, more typically between 0.1 wt% to about 50 wt%, most typically between 1 wt% to about 20 wt% of the entire composition.

Still further, it should be noted that contemplated compositions and methods may also  
5 employ plant extracts from plants other than a coffee tree, and plants that comprise (preferably at least two of) chlorogenic acid, caffeic acid, and ferulic acid are especially preferred. Most preferably, the chlorogenic acid, caffeic acid, and ferulic acid are present in an amount of at least 0.1 wt% (or 0.5 wt% to about 5 wt%, and even higher) in such alternative plants.

While not limiting to the inventive subject matter, the inventors contemplate that the  
10 cosmetic compositions presented herein may exhibit numerous advantages for topical use. Among other things, the inventors contemplate that numerous coffee cherry components complement each other in their potential various ingredients (*e.g.*, ferulic acid, caffeic acid, or chlorogenic acid) may act as UV protectant, and/or as antioxidant. In another example, the inventors contemplate that coffee cherry products include various polysaccharides, and especially  
15 mucilage polysaccharides, which may have beneficial effect of the skin (*e.g.*, via hydration or other effect). Thus, contemplated beneficial effects of the cosmetic compositions according to the inventive subject matter include improved skin tone, increased exfoliation, keratinolytic effect, reduction in wrinkles, reduction in biological and/or apparent ageing, reduction in hyperpigmentation (*e.g.*, melasma, due to UV exposure, age-related, etc.), reduction in direct and  
20 indirect oxidative damage (antioxidant properties), reduction in irritation and/or inflammation, and/or improved feel (*e.g.*, increased smoothness).

Consequently, the inventors contemplate that the cosmetic compositions according to the inventive subject matter can be marketed in association with an information that the cosmetic composition comprises a coffee cherry preparation (which is preferably prepared from a sub-ripe  
25 and/or quick-dried coffee cherry). There are numerous manners in which the association may be provided, and particularly preferred associations include physical association in which the information is printed on the container that contains the composition, or in which the information is printed on a package that includes the container. Similarly, the information may also be provided via a sales display and/or a brochure or publication. Alternatively, or additionally, the

information may not only be provided in a written or printed form, but may also be displayed in a graphic format and/or displayed as a commercial advertisement or infomercial.

In especially contemplated aspects, the information will associate the coffee cherry preparation and/or the cosmetic composition comprising the coffee cherry preparation with a desirable effect. Among other contemplated effects, the coffee cherry preparation and/or the cosmetic composition comprising the coffee cherry preparation has at least one of an antioxidant effect, an anti-inflammatory effect, a UV-protective effect, an antimutagenic effect, a chemoprotective effect, a scar reducing effect, a skin-lightening effect, a wrinkle reduction effect, a moisturizing effect, and an antibacterial effect.

#### **Examples**

The following examples are provided to enable a person of ordinary skill in the art to make and use compositions according to the inventive subject matter and to illustrate exemplary compositions and methods generally described herein.

##### *Harvest Of Whole Coffee Cherries*

The ripeness of the coffee cherries was determined by visually estimating the amount of green and red color (or yellow, where applicable) of the whole cherries. As the cherries ripen, the green cherries will typically increase in size and subsequently develop increasing amounts of red color. For the present examples, the coffee cherries were collected at four stages of ripeness: Completely, or almost completely green (unripe; typically less than 5% of the coffee cherry red or yellow), primarily green with some red (semi-ripe, stage 1; typically less than 25% of the coffee cherry red or yellow), primarily red with some green (semi-ripe, stage 2; typically less than 25% of the coffee cherry green), and unbroken, unblemished red (almost ripe; typically less than 10% of the coffee cherry green; area of blemishes, cuts, or otherwise broken surface less than 5%). As much as possible, whole, unbroken and uncut cherries were collected.

##### *Quick-Drying Of The Whole Coffee Cherries*

Whole coffee cherries for sample extraction were prepared by drying the cherries within 1-12 hours after harvest on separate trays of an air dryer according to the following procedure. Coffee cherries (400-600 g) were weighed into beakers and washed two times with tap water,

followed by a single wash with distilled water. The so washed coffee cherries were placed on a tray of an air dryer to drain, and then dried at 150-160°F for 16-18 hours to constant weight. Drying was stopped when the weight at two consecutive one-hour intervals differed by less than 1 g. Typical yields of dried whole cherry were 160-220 g. Further analysis indicated 6-12% residual water content in the dried cherry.

#### *Mycotoxin Analysis*

In order to determine the viability of the whole coffee cherry at the unripe, semi-ripe, and almost ripe stages (see above) for use in a nutritional product (and especially for use in tea), the level of selected mycotoxins was measured and compared against comparative products and red, ripe coffee cherry by-product from coffee production. As can be clearly seen in **Table 1** below, quick-dried coffee cherries of all sub-ripe harvest stages had a mycotoxin level below the detection limit of 1 ppb (as measured for aflatoxin and ochratoxin).

The mycotoxin concentration was determined in an independent laboratory by both ELISA and HPLC analysis. Based on the below results, the inventors conclude that all samples from the different sub-ripe harvest stages are suitable for direct use in a cosmetic composition for human topical use. In contrast, a typical by-product during coffee production (predominantly consisting of pulp, mucilage, and hull from coffee cherries) from ripe cherries of red color with blemishes (typically greater than 20% of the cherry surface) had a substantial content in both aflatoxins and ochratoxins.

RIPENESS	COLOR	AFLATOXIN	OCHRATOXIN
Unripe, quick-dried	Green	< 1ppb	< 1ppb
Semi-ripe Stage 1, quick-dried	Mostly green with some red	< 1ppb	< 1ppb
Semi-ripe Stage 2, quick-dried	Mostly red with some green	< 1ppb	< 1ppb
Almost ripe, quick-dried	Red, Blemished Area <5%	< 1ppb	< 1ppb
Ripe (by-product of Coffee Production)	Red, Blemished Area >20%	> 200 ppb	> 500 ppb

**Table 1**

*Polyphenol(PP), Chlorogenic Acid (CG), and Caffeine (CF) Analysis for Quick-dried  
Sub-ripe Whole Coffee Cherries*

In a further series of experiments, the levels of total polyphenols, chlorogenic acid, and caffeine from quick-dried whole coffee cherry at various sub-ripe stages were measured and compared against green and roasted coffee beans. **Table 2** summarizes the results of this analysis.

Interestingly, while the polyphenol (PP) level of quick-dried coffee cherries of all sub-ripe harvest stages was somewhat less than the level of green or roasted coffee beans, significant quantities of polyphenols in quick-dried sub-ripe coffee cherries still remain. Similarly, the chlorogenic acid (CG) content of quick-dried whole coffee cherry at various sub-ripe stages remained at substantial high levels as compared to roasted coffee, but was somewhat lower as compared to green beans. The caffeine (CF) level of quick-dried coffee cherries of all sub-ripe harvest stages was substantially within the caffeine level of green and roasted coffee beans (It should be pointed out that all data given are on a dry matter basis and are not normalized to the dry weight of the bean).

Polyphenol analysis: Dried whole coffee cherry (or green beans or roasted beans) (1.00 g) were ground in a rotating steel knife coffee grinder for 30 seconds to produce a ground sample. The ground sample was added to 100 mL distilled water and the resulting mixture heated to boiling in an Erlenmeyer flask for 30 minutes. The heat was removed and the mixture allowed to cool to room temperature. The resulting suspension was transferred to a 100 mL graduated cylinder and water added to bring the volume to 100 mL. The mixture was then transferred back to the Erlenmeyer flask, stirred briefly, and the solids allowed to settle. An aliquot (~3 mL) of the supernatant solution was filtered through an 0.45  $\mu$ m Acrodisc filter, and the resulting clear solution was diluted 1:10 with distilled water using a volumetric flask (1.00 mL diluted with 9.00 mL distilled water).

The Folin-Ciocalteu method was used to measure the polyphenol content of the diluted solution as follows. One mL of the diluted solution was added to a test tube, mixed with 1 mL of 0.2N Folin-Ciocalteu's Phenol reagent (Sigma solution, 2N, diluted 1:10 with water), and allowed to stand 5 minutes at room temperature. One mL of 1N NaHCO<sub>3</sub> was added and the



reaction mixture left at room temperature for 2 hours. The polyphenol level was determined using a UV-visible spectrophotometer standardized against catechin, at  $\lambda_{\text{max}}=750$  nm against distilled water as blank.

Chlorogenic acid: Determination of chlorogenic acid was done using HPLC separation of the filtered clear solution prepared above using standard analytical and separation protocols well known in the art. Similarly, determination of caffeine was done using HPLC separation of the filtered clear solution prepared above using standard analytical and separation protocols well known in the art (for exemplary protocols see *e.g.*, Bispo M.S., et al. in J. Chromatogr. Sci.; 2002, Jan;40(1):45-8, or Nakakuki, H. et al. in J. Chromatogr. A.;1999, Jul 2;848(1-2):523-7).

RIPENESS	COLOR	% PP	%CG	% CF	CG/CF
Unripe, quick-dried	Green	3.80	2.64	1.03	2.56
Semi-ripe stage 1, quick-dried	Mostly green with some red	3.28	2.70	1.00	2.70
Semi-ripe stage 2, quick-dried	Mostly red with some green	3.54	2.00	0.70	2.86
Almost ripe, quick-dried	Red, Blemished Area <5%	3.35	N/D	N/D	N/D
Green Coffee beans	Green	4.58	3.31	0.95	3.48
Roasted Coffee beans	Brown	3.93	0.50	1.20	0.42

**Table 2**

#### *Preparation of an Aqueous Coffee Cherry Extract*

Quick-dried sub-ripe coffee cherry were ground in several batches in a rotating steel knife coffee grinder for 10-30 seconds to produce a ground sample. To the ground sample (20.0 g) will be added 80 mL boiling distilled water and the resulting mixture will be allowed to cool off in an Erlenmeyer flask to room temperature. The solids will be filtered and the filtrate will be freeze dried and powderized. A second batch will be prepared as above using hot 40 vol% ethanol in water as a solvent, and the filtrate will be freeze dried and powderized.

Both powders will be resuspended in water to form a 10 wt% solution, respectively, and the solution will be again filtered to remove undissolved matter. The so obtained coffee cherry preparation will be then added to the cosmetic base formulations in proportions as given below:

*Body Lotion (Oil-in-water)*

	a)	PEG-7 hydrogenated castor oil	2.00%
		PEG-20 glyceryl laurate	1.00%
5		cocoglycerides	3.00%
		cetearyl alcohol	1.00%
		cetearyl isononanoate	4.00%
		octyl stearate	4.00%
10		phenoxyethanol, methylparaben,	0.30%
		ethylparaben, butylparaben,	
		propylparaben, isobutylparaben	
	b)	water, distilled	73.40%
		phenoxyethanol, methylparaben,	0.30%
		ethylparaben, butylparaben,	
15		propylparaben, isobutylparaben,	
		glycerin	3.00%
	c)	Coffee Cherry Extract	5.00%
	d)	acrylamides copolymer, mineral oil	3.00%
		C13-C14 isoparaffin, polysorbate 85	

20 Mixture a) is melted at approximately 70 C° and mixture b) is heated to approximately 70 C° and added to mixture a) while stirring. Stirring is continued until the lotion has cooled down to approximately 30 C°. Then c) and d) are added while stirring, and the lotion is homogenized.

*Gel-Lotion*

	a)	acrylamides copolymer, mineral oil,	5.00%
25		C13-14 isoparaffin, polysorbate 85	
		myreth-3 myristate	4.00%
	b)	water, distilled	85.00%
		phenoxyethanol (and) methylparaben (and)	0.50%
		ethylparaben (and) butylparaben (and)	
30		propylparaben (and) isobutylparaben	
		xanthan gum	0.50%
	c)	Coffee Cherry Extract	5.00%

Mixture a) is dissolved at approximately 50 C°. Mixture b) is dispersed at room  
35 temperature and added to a) while stirring. Then, composition c) is added while stirring.

*Oil-in-water Cream*

	a)	cetearyl alcohol (and) ceteareth-20	8.00%
		cocoglycerides	2.00%
		cetearyl alcohol	2.00%
40		dicaprylyl ether	8.00%
		oleyl erucate	7.00%

	phenoxyethanol, methylparaben, ethylparaben, butylparaben, propylparaben, isobutylparaben	0.30%
5	b) water, distilled	62.40%
	phenoxyethanol, methylparaben, ethylparaben, butylparaben, propylparaben, isobutylparaben glycerin	0.30% 5.00%
	c) Coffee Cherry Extract	5.00%

10 Mixture a) is melted at approximately 70 C° and mixture b) is heated to approximately 70 C° and added to mixture a) while stirring. Stirring is continued until the cream has cooled down to approximately 30 C°. Then, composition c) is added while stirring and the cream is homogenized.

#### *Water-in-oil Cream*

15	a) diisostearoyl polyglyceryl-3 dimer dilinoleate	3.00%
	beeswax	0.60%
	castor oil, hydrated	0.40%
	paraffinum subliquidum	5.00%
	isohexadecane	10.00%
20	PPG-15 stearyl ether	2.00%
	dimethicone	0.50%
	phenoxyethanol, methylparaben, ethylparaben, butylparaben, propylparaben, isobutylparaben	0.30%
25	b) water, distilled	68.40%
	phenoxyethanol, methylparaben, ethylparaben, butylparaben, propylparaben, isobutylparaben glycerin	0.30% 3.00%
30	MgSO <sub>4</sub> *7H <sub>2</sub> O	1.00%
	c) Coffee Cherry Extract	5.00%
	d) silica dimethyl silylate	0.50%

Mixture a) is heated to approximately 80 C°, mixture b) is brought to 80 C° and added to a) while stirring. Stirring is continued until the cream has cooled down to approximately 30 C°, then c) and d) are added, and the cream is homogenized.

#### *Shampoo*

Sodium polyoxyethylene lauryl ether sulfate	15.0%
Alkyl polyglucoside	4.0%

	N-ethanol-N-methyl dodecanoic acid amide	3.0%
	EDTA-Na <sub>2</sub>	0.3%
	Malic acid to adjust pH to 6.0	q.s.
	Preservative	0.5%
5	Coffee Cherry Extract	10.0%
	Purified water	balance
	Total	100.0%

All ingredients are mixed together and the volume is brought to about 90 ml. The pH is then adjusted and the volume is finally adjusted to 100 ml (all percentages are weight %).

10	<i>Body Wash</i>	
	Sodium polyoxyethylene lauryl ether sulfate	16.0%
	Sodium polyoxyethylene	5.0%
	N-ethanol-N-methyl palm kernel oil fatty acid amide	2.5%
	Glycerin	3.0%
15	Cationized cellulose	0.1%
	Ethylene glycol distearate	3.0%
	EDTA-Na <sub>2</sub>	0.3%
	Citric acid to adjust pH to 5.7	q.s.
	Preservative	0.5%
20	Coffee Cherry Extract	7.5%
	Purified water	balance
	Total	100.0

All ingredients are mixed together and the volume is brought to about 90 ml. The pH is then adjusted and the volume is finally adjusted to 100 ml (all percentages are weight %).

25	<i>Face Wash</i>	
	Sodium polyoxyethylene lauryl ether sulfate	20.0%
	N-ethanol-N-methyl dodecanoic acid amide	4.8%
	Glycerin	3.0%
	Hydroxyethyl cellulose	0.3%
30	Ethylene glycol distearate	1.5%
	EDTA-Na <sub>2</sub>	0.3%
	Citric acid to adjust pH to 6.0	q.s.
	Preservative	0.5%
	Coffee Cherry Extract	10.0%
35	Purified water	balance
	Total	100.0

All ingredients are mixed together and the volume is brought to about 90 ml. The pH is then adjusted and the volume is finally adjusted to 100 ml (all percentages are weight %).

Thus, specific embodiments and applications of low-mycotoxin coffee cherry products have been disclosed. It should be apparent, however, to those skilled in the art that many more modifications besides those already described are possible without departing from the inventive concepts herein. The inventive subject matter, therefore, is not to be restricted except in the spirit  
5 of the appended claims. Moreover, in interpreting both the specification and the claims, all terms should be interpreted in the broadest possible manner consistent with the context. In particular, the terms "comprises" and "comprising" should be interpreted as referring to elements, components, or steps in a non-exclusive manner, indicating that the referenced elements, components, or steps may be present, or utilized, or combined with other elements, components,  
10 or steps that are not expressly referenced.

## CLAIMS

What is claimed is:

1. A cosmetic composition comprising a coffee cherry preparation.
2. The cosmetic composition of claim 1 wherein the coffee cherry preparation is a preparation from a sub-ripe coffee cherry.
3. The cosmetic composition of claim 2 wherein the sub-ripe coffee cherry is quick-dried such that a mycotoxin level of the coffee cherry is less than 20 ppb for total aflatoxins, less than 10 ppb for total ochratoxins, and less than 5 ppm for total fumonisins.
4. The cosmetic composition of claim 1 wherein the coffee cherry preparation is a preparation from a quick-dried coffee cherry.
5. The cosmetic composition of claim 4 wherein the coffee cherry is quick-dried such that a mycotoxin level of the coffee cherry is less than 20 ppb for total aflatoxins, less than 10 ppb for total ochratoxins, and less than 5 ppm for total fumonisins.
6. The cosmetic composition of claim 1 wherein the coffee cherry preparation comprises at least one of an aqueous extract and an alcoholic extract.
7. The cosmetic composition of claim 6 wherein the extract is prepared from at least two of a bean of the coffee cherry, a pulp of the coffee cherry, a mucilage of the coffee cherry, and a hull of the coffee cherry.
8. The cosmetic composition of claim 1 wherein the preparation comprises at least two classes of compounds selected from the group consisting of coffee acids, coffee polyphenols, essential monosaccharides, coffee mucilage polysaccharides, and trigonelline, wherein the at least two classes of compounds are present in the extract in an amount of at least 1 wt% total.
9. The cosmetic composition of claim 8 wherein the at least two classes of compounds are present in the preparation in an amount of at least 5 wt% total.

10. The cosmetic composition of claim 8 wherein the class of coffee acid includes a compound selected from the group consisting of chlorogenic acid, ferulic acid, and caffeic acid.
11. The cosmetic composition of claim 8 wherein the class of essential monosaccharides includes a compound selected from the group consisting of arabinose, fucose, mannose, xylose, and galactose.
12. The cosmetic composition of claim 1 wherein the composition is formulated as one of a shampoo, a lotion, a cream, a balm, and an ointment.
13. The cosmetic composition of claim 1 further comprising an information associated with the composition that the composition comprises the coffee cherry preparation.
14. The cosmetic composition of claim 1 further comprising an information associated with the composition that the composition has an effect selected from the group consisting of an antioxidant effect, an anti-inflammatory effect, a UV-protective effect, an antimutagenic effect, a chemoprotective effect, a scar reducing effect, a skin-lightening effect, a moisturizing effect, a wrinkle reduction effect, and an antibacterial effect.
15. A method of marketing a cosmetic composition comprising a step of providing the cosmetic composition and a further step of providing an information that the composition comprises a coffee cherry preparation.
16. The method of claim 15 wherein the coffee cherry preparation comprises an extract of the coffee cherry.
17. The method of claim 15 wherein the information is associated with the cosmetic composition.
18. The method of claim 17 wherein the information is printed on at least one of a container containing the formulation and a package containing the container.
19. The method of claim 15 wherein the coffee cherry preparation is a preparation from a sub-ripe coffee cherry.



20. The method of claim 15 wherein the coffee cherry preparation is a preparation from a quick-dried coffee cherry.

## ABSTRACT

A cosmetic composition comprises a coffee cherry preparation, and most preferably an extract from a sub-ripe quick-dried coffee cherry. Particularly contemplated cosmetic compositions are formulated as a shampoo, lotion, cream, balm, or ointment, and will have at least one of an antioxidant effect, an anti-inflammatory effect, a UV-protective effect, an antimutagenic effect, a chemoprotective effect, a scar reducing effect, a skin-lightening effect, a moisturizing effect, a wrinkle reduction effect, and an antibacterial effect.